

UNITED STATES DISTRICT COURT
DISTRICT OF NEVADA

Nick Fisher,

Plaintiff

v.

TheVegasPackage.com, Inc. and Douglas
Douglas,

Defendants

Case No.: 2:19-cv-01613-JAD-VCF

**Order Decertifying Class and
Dismissing Action**

[ECF Nos. 23, 24]

Nick Fisher sues TheVegasPackage.com and its president Douglas Douglas under the Telephone Consumer Protection Act, 47 U.S.C. § 277, et seq., because they called him—using an autodialer and without his prior, express consent—to sell a Las Vegas vacation package.¹ In April I granted Fisher’s motion to certify this case as a national class action on behalf of similarly situated recipients of unsolicited calls from Vegas Package.² Fisher now moves to decertify the class and voluntarily dismiss this case because the defendants’ refusal “to appear or participate in this case in any way” has left him “no realistic way to pursue his [c]lass claims.”³ The time to oppose these motions passed without response or request to extend the deadline to file one. And with good cause appearing,

IT IS HEREBY ORDERED that the Motions to Decertify Class and Dismiss [ECF Nos. 23, 24] are GRANTED:

- The class is DECERTIFIED;

¹ ECF No. 1 at ¶¶ 8, 12, 16–17, 20–26, 40.

² ECF No. 22.

³ ECF No. 23 at 2.

- This action is DISMISSED without prejudice, each side to bear its own fees and costs; and
- The Clerk of Court is directed to CLOSE THIS CASE.



U.S. District Judge Jennifer A. Dorsey
Dated: September 15, 2021